

Message Text

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ORIGIN L-03

INFO OCT-01 AF-08 EUR-12 ISO-00 SNM-02 AS-01 SCS-03 SCA-01

JUSE-00 /031 R

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P 062158Z OCT 76

FM SECSTATE WASHDC

TO AMEMBASSY PARIS PRIORITY

AMEMBASSY LONDON PRIORITY

AMEMBASSY DAKAR PRIORITY

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E.O. 11652: N/A

TAGS: SNAR, SG, CVRS, SF, UK

SUBJECT:UNITED STATES V. ORSINI

REFS: (A) PARIS 29215; (B) STATE 243959

1. WITH REFERENCE TO QUESTION RAISED IN PARA 2, REF A, ADVISE MOUTON-BRADY THAT ORSINI INDICTMENT WAS A SINGLE COUNT INDICTMENT, E.G., CONSPIRACY TO IMPORT COCAINE AND HEROIN ILLEGALLY INTO U.S. INDICTMENT RECITED MANY OVERT ACTS, WHICH MIGHT HAVE CONFUSED FRENCH OBSERVERS. THE EFFECT OF HIS PLEA IS TO ADMIT HIS COMPLICITY IN THE CONSPIRACY, INCLUDING HIS ROLE IN SO-CALLED MARSEILLES GROUP ("FRENCH CONNECTION"). IT SHOULD BE EMPHASIZED THAT ORSINI PLED TO A MAJOR NARCOTICS OFFENSE AND THUS USG IS RELIEVED OF PROSECUTORIAL BURDEN AND ENORMOUS COST INVOLVED IN WHAT .OULD HAVE OTHERWISE BEEN A PROTRACTED TRIAL. THERE IS,
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OF COURSE, ALSO THE OBVIOUS CONSIDERATION THAT UNDER OUR

JURY SYSTEM AN ACQUITTAL COULD HAVE BEEN POSSIBLE. ALL THINGS CONSIDERED, JUSTICE HAS BEEN SERVED IN THIS DISPOSITION OF THE CASE.

2. DEPT HAS RECEIVED FOLLOWING NOTE UNDER DATE OF SEPTEMBER 23, 1976 FROM FRENCH EMBASSY CONCERNING ORSINI:

QUOTE: THE EMBASSY OF FRANCE IN THE UNITED STATES PRESENTS ITS COMPLIMENTS TO THE DEPARTMENT OF STATE AND HAS THE HONOR TO MAKE APPLICATION TO IT FOR THE PURPOSE OF OBTAINING THE RETURN TO FRANCE OF DOMINIQUE ORSINI, WHO IS CURRENTLY BEING DETAINED IN THE UNITED STATES.

QUOTE: ON AUGUST 25, 1975, DOMINIQUE ORSINI WAS EMPLANED AT DAKAR IN NORMAL CONDITIONS ON A PAN AMERICAN AIRWAYS PLANE BOUND FOR THE UNITED STATES. HE HAS SINCE BEEN DETAINED FOR MORE THAN A YEAR IN THE UNITED STATES. COMPLIMENTARY CLOSE.) END QUOTE.

3. DEPT INTENDS TO REPLY BY ADVISING EMBASSY OF ORSINI PLEA AND FACT THAT HE WILL BE SENTENCED TO A TERM OF IMPRISONMENT. REPLY WILL POINT OUT THAT DEPT IS WITHOUT POWER TO CONSIDER REQUEST OF EMBASSY UNTIL EXPIRATION OF ANY TERM OF IMPRISONMENT IMPOSED UPON ORSINI BY COURT. A FULL TEXT OF REPLY WILL BE PROVIDED AS SOON AS POSSIBLE.

4. DEPT WAS INTERESTED TO NOTE THAT EMBASSY ASSERTS THAT "ORSINI A ETE EMBARQUE DE DAKAR LE 25 AOUT 1975 SUR UN AVION DE LA PAN AMERICAN AIRWAYS, A DESTINATION DES ETATS-UNIS, DANS DES CONDITIONS NORMALES." (OFFICIAL TRANSLATION APPEARS ANTE). IT DOES NOT ALLEGE ANY MISCONDUCT OR ABNORMALITY IN EXPULSION OF ORSINI TO U.S. FROM DAKAR.

ROBINSON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, DIPLOMATIC COMMUNICATIONS, TRIALS
Control Number: n/a
Copy: SINGLE
Draft Date: 06 OCT 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE248799
Document Source: CORE
Document Unique ID: 00
Drafter: LGFIELDS,JR:NMC
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760377-1100
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761075/aaaacnfp.tel
Line Count: 96
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 PARIS 29215, 76 STATE 243959
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 21 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 APR 2004 by RowellE0>; APPROVED <22 APR 2004 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: UNITED STATES V. ORSINI
TAGS: SNAR, CVIS, SG, SF, UK, US, FR, (ORSINI, DOMINIQUE)
To: PARIS LONDON DAKAR
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006